

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                        |   |                         |
|------------------------|---|-------------------------|
| KFD ENTERPRISES, INC., | ) | Case No. 08-cv-04571-SC |
|                        | ) |                         |
| Plaintiff,             | ) | <u>ORDER</u>            |
|                        | ) |                         |
| v.                     | ) |                         |
|                        | ) |                         |
| CITY OF EUREKA, et al. | ) |                         |
|                        | ) |                         |
| Defendants.            | ) |                         |
|                        | ) |                         |
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In the Court's April 22 Trial Preparation Order, the parties were instructed to provide the Court with joint proposed jury instructions no later than fourteen days before the trial date. The jury instructions that the parties submitted are totally unacceptable to the Court. The instructions submitted are merely each party's own instructions regarding its claims or defenses, and they include twenty-three pages of objections. The parties are instructed to meet, confer, and submit acceptable JOINT proposed jury instructions within seven (7) days of the date of this Order.

The set of proposed instructions upon which the parties agree

1 must include all standard instructions regarding the role of  
2 jurors, organization of the jury, communication with the Court,  
3 etc. Failure to submit an agreed-upon instruction on a matter of  
4 law as to which there is no substantial ground for difference of  
5 opinion may be considered a sufficient ground for the imposition of  
6 sanctions on counsel. In addition, the parties shall e-mail a  
7 complete set of instructions in Word format to Judge Conti's  
8 proposed order mail box, scPO@cand.uscourts.gov. The proposed jury  
9 instructions shall follow the content and formatting requirements  
10 detailed in the April 22 Trial Preparation Order.

11 The parties are further instructed to submit an estimate of  
12 the time required for trial.

13  
14 IT IS SO ORDERED.

15  
16 Dated: May 29, 2014



UNITED STATES DISTRICT JUDGE